



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Eighth day of July Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP (MD) No.8648 of 2021

SELVAKUMAR

... PETITIONER/SOLE ACCUSED

Vs

1. THE STATE REP. BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME No.172 OF 2021.

... 1st RESPONDENT/COMPLAINANT

2. KANNAN

... 2nd RESPONDENT/DEFACTO
COMPLAINANT

For Petitioner : Mr.S.Vishnuvardhan,
Advocate

For Respondent-1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

PETITION FOR BAIL Under Sec. 439 of Cr.P.C.

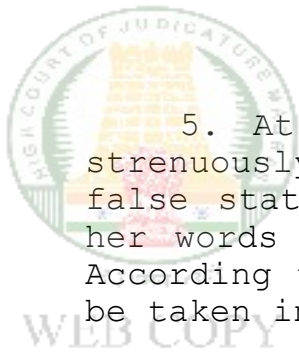
ORDER : The Court Made the following order :-

This petition is filed seeking bail.

2. Earlier petition has been dismissed as withdrawn on 19.05.2021 and the second application was filed and that was also dismissed on 18.06.2021 on the ground that the victim girl is only aged about 14 years. This is third application.

3. The learned counsel for the petitioner submits that the petitioner is in custody for nearly 85 days and statutory period will be over within a short time.

4.The learned Additional Public Prosecutor submits that investigation is almost over and a statement under Section 164 Cr.P.C has to be recorded from the victim and after the same is over, final report will be filed before the concerned court.



5. At this juncture, the learned counsel for the petitioner strenuously argued on the point that the victim girl has given a false statement regarding her age to the petitioner and believing her words of the victim girl, the petitioner has eloped with her. According to the learned counsel for the petitioner, this point may be taken into account for granting bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

7. The submission of the learned counsel for the petitioner that the victim girl has given a false statement regarding her age to the petitioner and only on believing that she is a major the petitioner has eloped with her cannot be considered for granting bail to the petitioner.

8. Considering the age of the victim girl and gravity of the offence involved in this case, this Court is not inclined to grant bail. Hence, this petition is dismissed.

sd/-
08/07/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.
2. THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8648 of 2021
Date :08/07/2021

CM

USK/JC/SAR-I : 14/07/2021 : 2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>